

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION

SHEDRICK O'NEAL DAVIS,

Petitioner,

vs.

DEBORAH HICKEY, Warden,

Respondent.

CIVIL ACTION NO.: CV207-130

ORDER

Presently before the Court are Davis' Objections to the Magistrate Judge's Report wherein he recommended that Respondent's Motion to Dismiss be granted and that Davis' petition for writ of habeas corpus be dismissed. The Magistrate Judge determined that Davis had not satisfied the savings clause of 28 U.S.C. § 2255. In his Objections, Davis contends section 2255 bars him from obtaining relief, and, accordingly, he can only obtain his requested relief pursuant to 28 U.S.C. § 2241.

Davis' Objections are without merit. After an independent review of the record, the Report and Recommendation of the Magistrate Judge is adopted as the opinion of the Court. Respondent's Motion to Dismiss is **GRANTED**, and Davis' petition for writ of habeas corpus, filed pursuant to 28 U.S.C. § 2241, is **DISMISSED**. The Clerk of Court is authorized and directed to enter the appropriate judgment of dismissal.

SO ORDERED, this 22 day of April, 2008.

HONORABLE LISA GODBEY WOOD
UNITED STATES DISTRICT JUDGE